ment or repair of buildings is required. The Secretary will be able to take similar actions with respect to Rural Electrification Administration loans, and the Housing and Home Finance Administrator with respect to similar programs under his jurisdiction. The Small Business Administration will be authorized to extend the loan period of its disaster relief program to 30 years, instead of the present 20 years. The bill would extend authority for 100 percent road and trail rehabilitation to roads on the public lands and wildlife refuge system lands administered by the Department of Interior. National forests, park lands, and Indian reservation lands are already eligible under existing laws. These urgent needs must be met by authorizing additional funds for the Bureau of Public Roads emergency program, now nearly exhausted.

Mr. Speaker, I have no doubt that Congress will act expeditiously to alleviate the burden of this great disaster.

FLOOD DISASTER IN THE STATE OF OREGON AND OTHER WESTERN STATES

(Mr. DUNCAN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Oregon. Mr. Speaker, the staggering damage to Oregon, California, Washington, and Idaho homes, farms, ranches, timber, businesses, highways, bridges, and other public works left in the wake of storms and floods is well known to you, although the extent of that damage cannot yet be determined accurately.

And that damage may still mount as storms continue to plague the Northwest.

Although the true extent of need is not yet known, I join with my able colleagues, the gentlewoman from Oregon, Representative GREEN, and the gentleman from Oregon, Representative ULLMAN, in recognizing the insistent and legitimate demand for effective and prompt Federal assistance in the flood stricken area.

I support the efforts of the gentlewoman from Oregon [Mrs. GREEN] and the gentleman from Oregon [Mr. ULLMAN] as represented by the bills they are introducing today in the House. I further support similar legislation introduced by my friend and neighbor, the gentleman from California, Congressman JOHNSON, whose district continues to suffer the ravages of the flood.

My present opinion is that there may be additional legislative authorizations necessary if the U.S. Government is to meet its fullest responsibilities to help the ravaged areas of the Pacific Northwest. Should my additional research confirm my present view, I shall offer further legislation in addition to supporting that the gentlewoman from Oregon, Representative GREEN, and the gentleman from Oregon, Representative ULLMAN, are introducing today.

I am sure that all of us in this body share with the Members from the Northwest their concern for the plight of families and businesses as a result of the disaster that struck at the height of the Christmas season and has not yet subsided fully.

All of us, too, should be proud of the manner in which citizens whose States were so ruthlessly hit rallied to reduce the loss of life and property threatened by high winds and swollen rivers turned suddenly into rampaging torrents of water.

The much maligned civil defense units sprang into action to perform yeoman service at considerable personal risk and sacrifice, as did State and local officials and employees challenged so harshly by the full force of nature run wild. I am proud of them, as I know you are.

I know the people of the Pacific Northwest can and must depend on the Congress and the Federal agencies to fulfill their responsibilities to the fullest with compassion, understanding, and generosity.

LEGISLATION DESIGNED TO PUNISH THOSE GUILTY OF KILLING THE PRESIDENT OR GUILTY OF ASSAULT UPON THE PRESIDENT

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, I have just introduced legislation to punish the killing of the President of the United States.

The bill would also prevent the attempted killing or assaulting of the President. It would likewise provide punishment for the killing, attempted killing, or assaulting of the Vice President, former Presidents, President-elect, Vice President-elect, Justices of the Supreme Court, members of the Cabinet, and Members of Congress.

A killing or attempted killing of the President or other named official could bring the death penalty to a guilty party. In the case of assault, the imposed punishment would be greater if a dangerous weapon is used.

The assassination of President Kennedy clearly demonstrated the need for Federal legislation which would permit Federal law enforcement officers to immediately participate in the investigation.

The interest of national security dictates that the American public know whether attempts upon the life of the President or other high officials is a single act of a deranged mind or a part of an organized plot to disrupt the workings of government.

If this proposed legislation had been law when President Kennedy was assassinated there may well have been a greater opportunity to obtain all of the facts and to protect the life of a material witness.

The proposed legislation would not nullify State law. I emphasize that this bill will preserve a State's right to investigate and prosecute persons charged with such acts.

A copy of the bill follows:

H.R. 2063

A bill to punish the killing, attempted killing, or assaulting of the President of the United States and other high officials

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 51 of title 18 of the United States Code is hereby amended by adding at the end thereof the following new section:

"§ 1116. THE KILLING OF THE PRESIDENT AND CERTAIN HIGH OFFICIALS

"Whoever kills a President, President-elect or former President of the United States, a Vice President or Vice-President-elect of the United States, any Justice of the Supreme Court of the United States, any member of the Cabinet of the President of the United States, or any Member of the Senate or of the House of Representatives of the United States, shall be punished as provided under sections 1111 and 1112 of this title."

(b) The analysis at the head of chapter 51 of title 18 of the United States Code is amended by adding at the end thereof the following:

"1116. The killing of the President and certain high officials."

SEC. 2. (a) Chapter 7 of title 18 of the United States Code is hereby amended by adding at the end thereof the following new sections:

"§ 115. ASSAULTING, WITH INTENT TO KILL, THE PRESIDENT AND CERTAIN HIGH OFFICIALS

"Whoever assaults, with intent to kill, any person designated in section 1116 of this title shall be imprisoned for not more than fifteen years.

"§ 116. ASSAULTING, WITH INTENT TO CAUSE BODILY INJURY, TO THE PRESIDENT AND CERTAIN HIGH OFFICIALS

"Whoever, without justifiable or excusable cause, assaults or offers violence, with intent to cause bodily injury, to any person designated in section 1116 of this title shall fined not more than $5,000 or imprisoned not more than three years, or both.

"Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both."

(b) The analysis at the head of chapter 7 of title 18 of the United States Code is amended by adding at the end thereof the following:

"115. Assaulting, with intent to kill, the President and certain high officials.

"116. Assaulting, with intent to cause bodily injury, to the President and certain high officials."

SEC. 3. Nothing contained in any section of this Act shall be construed as indicating an intent on the part of Congress to occupy the field in which such sections operate, to the exclusion of any State laws on the same subject matter, nor shall any provision of this Act be construed as invalidating a provision of State law which would be valid in the absence of such Act, except to the extent that there is a direct and positive conflict between such provisions so that the two cannot be reconciled or consistently stand together.

REPORTED INCIDENTS OF POLITICAL FUND SOLICITING IN AGENCIES OF THE GOVERNMENT

(Mr. NELSEN asked and was given permission to address the House for 1

minute, to revise and extend his remarks, and to include a letter.)

Mr. NELSEN. Mr. Speaker, on numerous occasions during the 88th Congress I brought to the attention of my colleagues reported incidents of political fund soliciting in agencies of the Government and point to the fact that such activities are in violation of the Hatch Act and the Corrupt Practices Act which should be investigated thoroughly and action taken accordingly. Toward the end of the last session of the Congress I reported that the Civil Service Commission was instituting an investigation of such activities in the Rural Electrification Administration. Since this investigation was launched at my request, I received a report from the Commission upon the conclusion of their inquiry.

On October 8, 1964, I received the following letter from Mr. John J. McCarthy, Assistant General Counsel of the Civil Service Commission:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., October 8, 1964.

Hon. ANCHER NELSEN,
House of Representatives.

DEAR MR. NELSEN: This is in response to your letter of September 22, 1964, concerning the investigation of alleged Hatch Act violations in the Rural Electrification Administration and your telephone calls of September 28 and October 1. As I told you on the phone, I was somewhat handicapped in my endeavor to obtain the information you wanted because of the hospitalization of Mr. Meloy, who was personally supervising the conduct of the investigation.

As you know, we conducted an investigation of the alleged Hatch Act violations in the Rural Electrification Administration. There are four individuals involved. One is in the competitive service and subject to our jurisdiction; the other three are in excepted positions and subject to the jurisdiction of the Department of Agriculture. In an effort to coordinate action we have notified the Secretary of Agriculture of our investigation. We have not been advised as to what they plan to do.

In addition, we have furnished the Department of Justice with a copy of our investigation. That Department has jurisdiction to determine whether to prosecute for violation of the criminal laws. It has been our practice in this kind of a situation to defer administrative action until the criminal aspects of the case have been fully explored.

I am not in a position at this time to express an opinion as to a violation of the Hatch Act by the employee who is subject to our jurisdiction. Under the procedure we follow such a decision is made initially only after a letter of charges has been served and the employee's answer has been considered.

Sincerely yours,

JOHN J. MCCARTHY,
Assistant General Counsel.

It is interesting to note that the Commission reports four individuals being involved, one of whom was in the classified service subject to the jurisdiction of the Commission and the other three of whom were in excepted positions subject to the jurisdiction of the Department of Agriculture. Although the Commission investigation findings were reported to the Department of Justice some months ago, I have not yet had a report of any action having been taken by the Justice Department.

The President in his state of the Union message pointed out the need of thorough law enforcement, the need of checking juvenile delinquency, and I am sure that we would all agree with his statement.

Many times we have heard statements coming from the Justice Department, calling upon the business community to observe proper business practices in keeping with the laws of the land.

We all recognize the merits of a civil service system which protects our Federal employees and prevents political machines from using Federal employees in a manner found to be disastrous to the efficiency and quality of performance of our Federal employees and opens the door to a return to the spoils system.

If we are to expect our youth to observe our laws, if we hope to receive the cooperation of the business community in proper regard to existing laws, certainly Government officials should be the examples showing proper regard to strict adherence to Federal laws passed by the Congress of the United States.

Such blatant political activities on the part of appointed officials of the Federal service are a violation of every precept of the merit system and it is my intention to press for responsible action in bringing this matter to a conclusion. I cannot overemphasize the need for stern administrative action to avoid such corruption in the civil service system of our Federal Government.

I call on Members of this Congress, Republicans and Democrats, to help me search out instances where violations have occurred; and it is my hope that we can restore our civil service system to its proper level.

EXTENSION OF CREDIT BY FEDERAL RESERVE BANKS

(Mr. WIDNALL (at the request of Mr. HALL) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WIDNALL. Mr. Speaker, on January 4, 1965, I introduced legislation which would provide the Federal Reserve Banks with the authority to extend credit to member banks and others on any satisfactory security. This bill, H.R. 187, would greatly increase the ability of the Federal Reserve banks to perform one of their principal responsibilities. Appropriate credit assistance to member banks is essential if the banking community is to meet the legitimate credit needs of a growing economy.

The bill would eliminate the penalty rates which Federal Reserve banks must now levy on member bank borrowings secured by collateral other than Government securities or so-called "eligible paper." The present definition of "eligible paper" as short-term, self-liquidating paper bears little relationship to the type of loans which commercial banks now extend. Since 1935, the Reserve banks have had permanent authority to make advances on any security satisfactory to the Reserve banks, but at a penalty rate of interest, one-half of 1 percent above the regular discount rate. My bill would remove both this penalty rate and the necessity for cumbersome administrative procedures for deciding between eligible and ineligible paper.

We have heard a good deal of late about "reforming" the Federal Reserve system. In August of 1963 the Federal Reserve recommended the reform contained in my bill, but in the past 16 months no consideration has been given by the Banking and Currency Committee to this worthwhile suggestion. Since World War II, bank holdings of Government securities have declined, and should an economic upswing trigger further reductions in holdings, banks will be hard-pressed to seek other kinds of collateral if they need Federal Reserve credit for increased consumer credit demands. I would hope that this reform, which would assist the Federal Reserve System and the banking community in their continued performance in the public interest, would receive the attention it deserves from Congress.

I include, as part of my remarks, a section-by-section analysis of H.R. 167:

In general, the first section of this bill would confer upon the Federal Reserve banks broad authority to make advances on any satisfactory security and the remaining sections of the bill are largely of a conforming nature.

Section 1: A new section 13A would be inserted in the Federal Reserve Act. It would authorize any Federal Reserve bank to make advances to any of its member banks on the note of the member bank secured to the satisfaction of the Reserve bank, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe. In making such advances, the Reserve bank would be required to give due regard to the "maintenance of sound credit conditions and the accommodation of commerce, industry, and agriculture" and to keep itself informed as to the character and amount of the loans and investments of its member banks, with a view to determining whether undue or inappropriate use is being made of bank credit for speculative purposes or for purposes inconsistent with the maintenance of sound credit conditions. These requirements are substantially the same as those now prescribed by the eighth paragraph of section 4 of the Federal Reserve Act.

In addition to advances to member banks, the Reserve banks would be authorized to make advances to individuals, partnerships, and corporations on the security of obligations of the United States, an authority similar to that now contained in the last paragraph of section 13 of the Federal Reserve Act, although the new authority, like that with respect to advances to member banks, would not specify any maturity limitation. As under present law, the authority to make advances to corporations would cover advances to nonmember banks.

Section 2: Because they would be superseded or rendered obsolete by the authority conferred by the new section 13A, the provisions of the Federal Reserve Act hereafter described would be repealed.

Section 10(a) of the act (12 U.S.C. 347a), enacted in 1932, authorizes advances to groups of five or more member banks. This authority has never been utilized and would be unnecessary in the light of the new authority.

Section 10(b) (12 U.S.C. 347b), containing authority for advances to member banks on any satisfactory security but at a one-half-of-1-percent penalty interest rate, would likewise be rendered unnecessary by the new legislation.

Section 11(b) of the act (12 U.S.C. 248 (b)), authorizing the Board of Governors to permit or require a Federal Reserve bank to rediscount the discounted paper of other Re-

times in the office of Vice President. I do not wish to take the time of the Senate now to read the imposing list of cosponsors who have joined me in offering this measure; however, I ask unanimous consent that their names, their States, and the text of the joint resolution be printed at this point in the RECORD.

There being no objection, the names, States, and text of the joint resolution were ordered to be printed in the RECORD, as follows:

S.J. RES. 1

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. If the President declares in writing that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. If the President does not so declare, and the Vice President with the written concurrence of a majority of the heads of the executive departments of such other body as Congress may by law provide, transmits to the Congress his written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"SEC. 5. Whenever the President transmits to the Congress his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President, with the written concurrence of a majority of the heads of the executive departments or such other body as Congress may by law provide, transmits within two days to the Congress his written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress will immediately decide the issue. If the Congress determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of the office, the Vice President shall continue to discharge the same as Acting President; otherwise the President shall resume the powers and duties of his office.

Mr. BAYH. Mr. President, I invite specific attention to the fact that the joint resolution bears the names of 68 cosponsors in addition to my own name. This makes a sponsorship of 69 Senators, the number necessary to pass this important piece of legislation. I believe this demonstrates a recognition on the part of a large number of Members of this body of the importance of this problem. The President, in his outstanding state of the Union message, pointed out his recognition of this problem, as well.

I hope it will be possible for this body to reach a speedy acceptance of this measure, which was once passed by the Senate by a voice vote and later by a vote of 65 to 0 in the closing days of the last session.

I close by referring to the remarks made by the Senator from Iowa [Mr. MILLER], who recognized this problem when he introduced, a moment ago, a resolution dealing with the problem of vice-presidential vacancy. He said it was his opinion that the reason this measure would not receive consideration in the House was that disability had been included.

I hope the House will join the Senate in recognizing the seriousness of this problem. President Eisenhower was disabled three times, President Garfield for 80 days, and President Wilson for 16 months. Congress needs to deal both with the problem of disability and vice-presidential vacancy.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

REAPPORTIONMENT

Mr. DIRKSEN. Mr. President, I have always believed that the people are the fountainhead of governmental power under our form of government. Therefore, I send to the desk a proposed constitutional amendment to clearly set out the right of the people to choose whether or not they wish to have one house of the legislature of their State apportioned on the basis of factors other than population. This is the same legislative system we have in the Federal Government. The amendment would make the use of such a system optional for the States. In the case of a unicameral legislature, the standard of apportionment would be a reasonable one which could be reviewed by the courts.

In order that other Senators who wish to join me in sponsoring this amendment may have an opportunity to do so, I ask that the resolution lie on the table for 3 days.

I also request, Mr. President, that the the text of the proposed amendment be printed in full in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk and be printed in the RECORD, as requested by the Senator from Illinois.

The joint resolution (S.J. Res. 2) proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States, introduced by Mr. DIRKSEN (for himself and other Senators), is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

ARTICLE I

SECTION 1. The right and power to determine the composition of the legislature of a State and the apportionment of the membership thereof shall remain in the people of that State. Nothing in this Constitution shall prohibit the people from apportioning one house of a bicameral legislature upon the basis of factors other than population, or from giving reasonable weight to factors other than population in apportioning a unicameral legislature, if, in either case, such apportionment has been submitted to a vote of the people in accordance with law and with the provisions of this Constitution and has been approved by a majority of those voting on that issue.

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress.

EXTENSION OF DATE FOR TRANSMISSION OF THE BUDGET AND THE ECONOMIC REPORT

Mr. MANSFIELD. Mr. President, I send to the desk a Senate joint resolution, and request its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be stated.

The resolution (S.J. Res. 3) was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 201 of the Act of June 10, 1922, as amended (31 U.S.C. 11), the President shall transmit to the Congress not later than January 25, 1965, the budget for the fiscal year 1966; and (b) notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 28, 1965, the Economic Report.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution? The Chair hears none. Without objection, the joint resolution is considered and agreed to.

FRANCIS CASE MEMORIAL BRIDGE

Mr. McGOVERN. Mr. President, the Senate last year passed Senate Joint Resolution 110 which I sponsored naming the Washington Channel Bridge on Interstate Route 95 the "Francis Case Memorial Bridge." The resolution had been favorably reported by the District Committee. Unfortunately the measure was not acted on by the other body last year.

I am sending to the desk the resolution as it was approved by the committee and passed by the Senate in the hope that it can be acted upon early in the present session.

The late Senator Francis Case of South Dakota was an indefatigable supporter of the Interstate Highway System and for the District of Columbia, making this structure, linking the District and the interstate route, an especially appropriate memorial to him.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 5) to designate the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, near the intersection of the extension of 13th and G Streets SW., as the "Francis Case Memorial Bridge" introduced by Mr. McGOVERN, was received, read twice by its title, and referred to the Committee on the District of Columbia.

PRESIDENTIAL INABILITY—THE NEED FOR A DIRECT AND SIMPLE SOLUTION

Mr. HRUSKA. Mr. President, it is generally agreed that a constitutional amendment is required to clarify the question of Presidential inability. This was a subject of comment in the President's state of the Union message on Monday last.

The relatively permanent nature of an amendment to the Constitution requires the closest examination of all proposed amendments with an eye toward the attributes of the original Constitution. The language must provide Congress with the power to legislate mechanisms for the transfer of Presidential powers and must reflect the sound principles upon which the Constitution was built.

The thorough hearings and discussion conducted by the Constitutional Amendments Subcommittee under the leadership of Senator BAYH resulted in a proposed solution. That solution was passed in the 11th hour of the 88th Congress by the Senate. It was not considered by the House of Representatives. The study of this problem by that subcommittee has been helpful in developing thoughtful approaches.

However, the committee proposal is one with which I do not find myself in full agreement. The proposal does not contain two aspects which are fundamental and necessary. The first is to avoid "locking into" the Constitution a detailed and complex method of deciding the presence and termination of inability of the President. The second is to honor the spirit and the word of the doctrine of separation of powers.

In regard to the advisability of setting forth a detailed and complex procedure in the Constitution by amendment, it is helpful to note the comments of the Deputy Attorney General Katzenbach, now Acting Attorney General, in the hearings held last year, when he stated:

> The wisdom of loading the Constitution down by writing detailed procedural and substantive provisions into it has been questioned by many scholars and statesmen. The framers of the Constitution saw the wisdom of using broad and expanding concepts and principles that could be adjusted to keep pace with current needs. The chances are that supplemental legislation would be required in any event. In addition, crucial and urgent new situations may arise in the changing future—where it may be of importance that Congress, with the President's approval, should be able to act promptly without being required to resort to still another amendment to the Constitution.
>
> Since it is difficult to foresee all of the possible circumstances which the Presidential inability problem could arise, we are opposed to any constitutional amendment which attempts to solve all these questions by a series of complex procedures (1964 hearings, p. 203).

An objection which has been raised against a simple constitutional amendment requiring subsequent legislation is that it will give Congress a "blank check" on writing implementing legislation. The second aspect of this problem is important on this point. The principle of separation of powers should be included in the amendment. If this is done Congress will not have a "blank check" but firm limitations will be placed upon the mechanism devised for the determination of inability. For this reason, it is my firm belief that any constitutional amendment adopted should leave the determination of disability to the executive branch of our Government.

A look at history will dispel any doubts as to the importance of separation of powers. It is helpful to review the case involving the impeachment of a President Historical accounts of the impeachment trial of President Andrew Johnson illustrate the clear dangers presented when Congress is called upon to consider where to place the mantle of the Presidential powers. We should not provide additional commingling of powers in the case of inability.

There are sound reasons for applying the principle of separation of powers in this situation. First, the determination of the presence of inability is a factual matter. No policy is involved. The issue is simply the presence or absence of inability on the part of an individual. Congress has no expertise in such a determination, by experience, by proximity, nor by temperament. In fact, it is not inconceivable that fact could be clouded with considerations of a political nature should Congress be brought into the question of the President's inability. None of us would have our doctor prescribe treatment for an illness on the basis of political factors. We must take care to assure that the President of the United States is not subjected to such a determination.

Second, this is a decision which cannot be subject to long delays. In an age of advanced weapons and an accelerated pace in national and international affairs, we cannot afford the luxury of weeks or days of delay for a final determination to be reached.

Third, the parties having firsthand access to the facts regarding inability are found within the executive branch and not in Congress nor the Supreme Court.

In the case of a constitutional amendment we do not have the protection of the veto power of the President to assure that the procedure prescribed by the Congress does not transgress his prerogatives, as would be the case with implementing legislation subsequent to an open-ended amendment.

Even if this protection were present, the crucial point in the separation of powers concept is the time that the Presidential power hangs in balance. Any amendment must meet this delayed reaction test.

For these reasons, I am sending to the desk a constitutional amendment to resolve this lingering "blind spot" in our Constitution and ask that its text be printed in the RECORD at the conclusion of my remarks; and that the resolution lay on the desk till Monday next to permit of addition of cosponsors to same before printing.

It is my hope that this amendment will provide the relatively direct and simple solution which will allow speedy consideration by both the Senate and the House of Representatives and will, in its simplicity, be quickly ratified by the required number of State legislatures.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie at the desk, as requested by the Senator from Nebraska.

The joint resolution (S.J. Res. 6) proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office introduced by Mr. HRUSKA, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. BAYH. Mr. President, in connection with this proposal I ask unanimous consent to have printed at this point in the RECORD two newspaper articles; one written by C. P. Trussell, of the New York Times, and another which was printed in the Washington Post of Wednesday, January 6, 1965.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Jan. 6, 1965]

PRESIDENTIAL DISABILITY BILL REVIVED ON HILL

Leaders in both Houses plan early hearings and expect congressional approval this year of a constitutional amendment to cope with the never-settled issue of presidential disability.

They will use as a starting point the Bayh amendment which was passed by the Senate 65 to 0 last year and reportedly is supported by President Johnson.

This is two-part amendment, containing a formula for determining when a Vice President should act for a disabled President and providing for appointment of a Vice President in case that office becomes vacant.

The President told Congress in his state of Union message that he would submit proposals on disability. He did not spell them out. But Senator BIRCH E. BAYH, Democrat, of Indiana, who had discussed the question with the President, promptly announced that he would reintroduce his amendment today. He has already collected 33 Senate cosponsors.

Representative EMANUEL CELLER, Democrat, of New York, chairman of the House Judiciary Committee, has introduced a resolu-

tion identical to BAYH's and said it had top priority on the committee's agenda.

The amendment provides that, if the Vice Presidency becomes vacant, either because of the death of the President or Vice President, the President shall nominate a Vice President subject to confirmation by a majority vote of both Houses of Congress.

The disability problem arises from the vagueness of the Constitution. It says that in case of presidential disability the President's "powers and duties * * * shall devolve on the Vice President." But it does not tell how to decide whether a President is disabled, nor does it make clear whether a recovered President could reclaim his job.

The amendment provides that, if the President is disabled and so states in writing, the Vice President shall become Acting President. If the President does not so declare, perhaps because he is unconscious, the Vice President may act as President with concurrence of the majority of the Cabinet.

The President would take back the reins of his office with a written statement to Congress that he has recovered. In case of a disagreement between the President and the Vice President backed by the Cabinet as to his ability to function, Congress would decide the question.

The amendment provides that Congress act "immediately" and that the President would resume the powers and duties of his office unless two-thirds of both Houses decided he was unable to act.

Representative WILLIAM M. MCCULLOCH, Republican, of Ohio, senior Republican on the House Judiciary Committee, introduced a resolution generally similar to BAYH's, but requiring that Congress act within 10 days on an argument over disability. BAYH said a deadline had been considered by his subcommittee and had been rejected on grounds that Congress could be depended upon to act quickly, but that there was no way to force it to do so.

[From the New York Times, Jan. 5, 1965]

BAYH TO PRESENT SUCCESSION PLAN: BILL ON REPLACING AN AILING PRESIDENT DUE TODAY

(By C. P. Trussell)

WASHINGTON, January 5.—A plan for the replacement of an ailing President appeared certain today of early Senate and House consideration. The plan, which also calls for keeping the Vice-Presidency filled, is expected to have President Johnson's active support. He urged such action in his state of the Union message last night.

The plan would be presented as a constitutional amendment, which requires a two-thirds majority approval by Congress and ratification by three-fourths of the States.

A similar bill was approved by a 65 to 0 vote of the Senate last September. It was sent to the House but Congress adjourned before hearings could be started.

Senator BIRCH BAYH, Democrat, of Indiana, the original sponsor of the Senate resolution, will reintroduce it tomorrow and was expected to be joined by a score or more cosponsors.

NO SNAGS EXPECTED

Such programs previously had run into considerable opposition in the House but this time leaders expect no trouble getting the measure to the floor. The Senate is expected to repeat its performance of last autumn.

Senator BAYH plans only 1 day of hearings on his bill, since transcripts of last year's hearings are available. He said he believed there was new support throughout the country for the proposed amendment.

Representative EMANUEL CELLER, the Brooklyn Democrat who heads the House Judiciary Committee, introduced a companion measure yesterday as House Joint Resolution 1.

A similar measure was introduced by Representative WILLIAM M. MCCULLOCH, of Ohio, the ranking Republican on Mr. CELLER's committee.

"This legislation," Mr. CELLER said, "will be the first order of business of our committee. Hearings will start as soon as the committee is organized for the new Congress."

The Senate's action last September was the first it had taken to correct a succession system that has left the country without a Vice President 16 times for a total of 37 years.

The proposed constitutional amendment makes these proposals:

If a President were removed from office by death or resignation, the Vice President, as under the present constitutional formula, would become President.

Whenever there was a Vice Presidential vacancy, the President would nominate a Vice President to take office upon confirmation by a majority vote of both Houses of Congress.

If the President declared in writing that he was unable to discharge the powers and duties of his office, these would be discharged by the Vice President as Acting President.

If the President did not so declare, and the Vice President, with the written concurrence of a majority of the heads of the executive departments (the Cabinet) or such other body as Congress might provide by law, transmitted to Congress his written declaration of Presidential inability, the Vice President would immediately become Acting President.

Whenever the President transmitted a written declaration to Congress that an inability no longer existed, he could reassume his powers and duties unless the Vice President, with the written concurrence of a majority of the heads of the departments, declared to Congress within 2 days that the President was in fact disabled.

In the last-mentioned instance, Congress would immediately decide the issue. If Congress determined by a two-thirds vote of both Houses that the President was not able to resume his duties, the Vice President would continue as Acting President. Otherwise the President would resume the powers and duties of his office.

The sponsors expressed hope that the legislation could clear Congress without material amendment.

PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO ELECTORAL COLLEGE

Mr. SPARKMAN. Mr. President, on behalf of myself and the senior Senator from Massachusetts [Mr. SALTONSTALL], I introduce for appropriate reference a joint resolution pertaining to a proposed constitutional amendment relating to the electoral college. The joint resolution is the same as others which have been introduced in Congress on several occasions. Similar joint resolutions were sponsored in this body, first by former Senator Lodge, of Massachusetts, and later by Senator Kefauver, of Tennessee. I have joined in sponsoring them every time. One such joint resolution passed this body by an overwhelming majority.

I strongly believe that something needs to be done regarding the electoral college. It was quite interesting to observe that in his state of the Union message the President included a statement that something would be done to change the electoral college system.

I ask unanimous consent that the joint resolution be appropriately referred, but that first it may lie on the table for a week, to permit Senators who may wish to do so to become cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. SPARKMAN (for himself and Mr. SALTONSTALL), was received, read twice by its title, and referred to the Committee on the Judiciary.

DISTRIBUTION OF FILM ENTITLED "YEARS OF LIGHTNING, DAY OF DRUMS"

Mr. PELL. Mr. President, before we turn our attention to the challenges which lie ahead for this new Congress and the new era of the Great Society, I would like to call attention to one small but important step we should take to keep faith with the past.

I refer to the splendid film which has been made by the U.S. Information Agency entitled "Years of Lightning, Day of Drums," which depicts events in the administration of our late beloved President John F. Kennedy.

The USIA is properly prohibited from producing films for domestic consumption, but to my mind there never was a clearer case for exception to this rule than is presented by this film.

"Years of Lightning, Day of Drums" is a masterpiece of documentary photography. It tells the moving story of the New Frontier with accuracy and good taste. It recaptures the stark tragedy of the assassination without being maudlin, for the theme of this film is that one "day of drums" could not obliterate the splendid achievements of the Kennedy years, and that John F. Kennedy does indeed live on in the accomplishments of his administration and in the spirit which he imparted so richly to American public life.

It seems to me that this remarkable film should be seen by as many Americans as possible—particularly by young Americans in our schools—because it is an inspirational challenge for the kind of active citizenship which John Kennedy personified. I believe that Congress should therefore take special steps to permit domestic distribution of this film.

The joint resolution which I introduce today would simply express the sense of Congress that the U.S. Information Agency should make appropriate arrangements to make this film available for distribution through educational and commercial media for viewing within the United States. While it will be necessary to distribute the film on a commercial basis to cover the costs involved, it seems to me that the net proceeds should be applied in some way to perpetuate the memory of the late President. My joint resolution, therefore, directs that the net proceeds revert to the Treasury for the express benefit of the John F. Kennedy Center for the Performing Arts. I can think of no more fitting way in which to assist the construction of

this lasting memorial to President Kennedy.

I might add that there was one precedent for making such an exception to the usual policy prohibiting domestic distribution of such films, and that involved another excellent USIA film depicting the visit of Mrs. Jacqueline Kennedy to India in 1962. Unfortunately, the intent of Congress was not clearly expressed on that film because the House failed to act on a Senate concurrent resolution, with considerable confusion resulting. I hope that Congress will lose no time in expressing its will clearly with regard to this new film on President Kennedy.

Mr. President, I send my joint resolution to the desk and ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 8) to authorize the distribution in the United States of the film prepared by the U.S. Information Agency entitled "Years of Lightning, Day of Drums," depicting events in the administration of the late President John F. Kennedy, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 8

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "Years of Lightning, Day of Drums", depicting events in the administration of the late President John F. Kennedy. Accordingly, it is the sense of the Congress that the United States Information Agency should make appropriate arrangements to make the film described above available for distribution through educational and commercial media for viewing within the United States.

SEC. 2. The net proceeds resulting from any such distribution shall be covered into the Treasury for the benefit of the John F. Kennedy Center for the Performing Arts and made available, in addition to appropriations authorized in the John F. Kennedy Center Act, to the trustees of the John F. Kennedy Center for the Performing Arts for use in carrying out the purposes of such Act.

ELECTORAL COLLEGE REFORM

Mr. MUNDT. Mr. President, interest in our electoral college reform has reached an alltime high; in part, I suspect, because of the recent Supreme Court decisions on the one citizen-one vote concept. In part also, it is because the State of Delaware has recently given notice that it will file a Federal suit on behalf of the State of Delaware to break up the "winner take all" block system of electoral college voting.

In part, certainly it is because the President of the United States in his state of the Union address called attention to the inequities and evils in the present electoral college system, and placed himself on record as being in favor of some type of reform.

It is appropriate, therefore, that on this day, when the electoral college votes are to be counted, we should reintroduce the proposed constitutional amendment which has been before the Senate for some time—namely, Senate Joint Resolution 12, which I now send to the desk for appropriate reference and for the usual number of cosponsors and coauthors.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred, and, without objection, the joint resolution will lie on the desk, as requested.

The joint resolution (S.J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MUNDT. Mr. President, it seems to me that now is the time to act on this important question.

Senate Joint Resolution 12 provides the formula for correcting the situation, on which the present President of the United States, Lyndon Johnson, when a Senator from Texas, voted in this chamber.

So it would seem that the signs augur well for the passage of electoral college reform in the early future.

Mr. STENNIS. Mr. President, I am pleased to have the opportunity again to cosponsor with the senior Senator from South Dakota [Mr. MUNDT] and others, a proposed constitutional amendment to effect certain changes in the method of electing the President and Vice President. For the past several Congresses I have joined in this effort to reform the electoral college because, in my opinion, there is no political issue of greater significance to our Nation.

As all Members of the Senate know, the present system of electing the Nation's two highest officers is governed by article II, section 1, and the 12th amendment to the Constitution, which provide simply that the President and Vice President shall be chosen by electors appointed by each State in the manner directed by its legislature. Each State has the same number of electors as it is entitled to representatives in the Congress, and the candidates receiving a plurality of the popular vote receive the State's entire electoral vote.

A major popular objection to this system is that it is possible to elect a minority President. On 11 occasions since the adoption of the Constitution, a President has been elected without a majority of the popular vote although he received more popular votes than any other candidate. On three occasions, the candidate elected President had fewer popular votes than his leading opponent. In 1888, for example, Grover Cleveland received a plurality of about 100,000 votes over Benjamin Harrison, but Harrison received 233 electoral votes and Cleveland received only 168. There will always be the possibility under the present system that this result will occur, and in a great democratic society the majority vote shall always be reflected in the election of the people's choice.

I believe, however, that the greatest danger of our present system is in the ever-increasing concentration of population in a few States and the disproportionate influence these areas exert in our national elections.

At the present time, the 11 largest States, plus any one other State, have a sufficient number of electoral votes to control the election. These 11 States are New York, California, Pennsylvania, Illinois, Ohio, Texas, Michigan, New Jersey, Florida, Missouri, and Indiana. Within these States, one or two large cities control the entire electoral vote. In a very real sense, these relatively few urban areas determine who will be the President and Vice President of the United States. It can hardly be questioned that this political power is disproportionate to the population of these few cities.

This situation has developed because of the growth of our two-party system and the movement of our population to large urban areas. While I do not suggest that we change our political party organization, or that residents of our major cities be denied proper representation, I do believe that the electoral vote should be more accurately reflect the total national popular vote. Brief mention has already been made of the so-called minority Presidents that have been elected under the present electoral system. Even when the candidate receives a majority of both the popular and electoral votes, the disparity is often great. In 1936, for example, President Roosevelt received 60 percent of the popular vote and 98 percent of the electoral vote. General Eisenhower received 83 percent of the electoral vote in 1952, but only 55 percent of the popular vote. In 1960, the late President Kennedy's popular vote exceeded that of Vice President Nixon by only two-tenths of 1 percent of the total vote, but he received 300 electoral votes to 223 for Mr. Nixon. In the State of Illinois, Mr. Kennedy received less than 10,000 votes more than Nixon out of almost 5 million votes, and yet he received all of the State's 27 electoral votes.

This disparity between the popular and electoral votes exists in these cases largely because a simple plurality in these large States controls the entire electoral vote. Because of this development in our electoral process, many proposals have been submitted to Congress through the years to reform the electoral college system.

These proposals have taken three basic forms which are generally described as first, the direct popular election plan; second, the proportional election plan; and third, the direct election plan. I favor the direct plan which is basically incorporated in the resolution just introduced by the Senator from South Dakota. Basically, this plan retains the electoral vote system. Each State would choose two electors on a statewide basis, corresponding to their representation in the Senate, and would also choose an elector from each of several single-elector districts corresponding to the

number of representatives to which that State is entitled in the House of Representatives. Under this system, a State's entire electoral vote would not go to the candidate receiving a plurality of the total popular vote, but would be divided according to the vote in each district. Had this system been in effect in Illinois in the 1960 election, for example, Mr. Kennedy would have received 15 electoral votes and Mr. Nixon would have received 12.

It can be readily seen that this division would have more accurately reflected voter sentiment in that State, instead of Mr. Kennedy receiving all 27 electoral votes.

All Senators are generally familiar with this proposal, Mr. President, and I therefore shall not discuss it in detail at this time. I believe that its merits are easily recognized; its adoption would result in a great improvement over the present electoral system. In my opinion, it is absolutely necessary that the Congress consider this proposal and submit it to the States for ratification if we are to continue to be a great representative democracy. Unless some change is made, the smaller, less populous States will have no significant voice in the election of the President and Vice President. The time for passage of this or a similar proposal is now, and to that end I urge prompt action by the Senate.

Mr. President, soon after I came to the Senate in 1947 a resolution similar to the one now submitted passed this body by a vote of more than two-thirds. I do not believe that it was ever considered on the floor of the House of Representatives, but that vote then demonstrated a need and a realization of that need. The measure has several times previously been considered by the Senate. I believe that the facts are now sufficient, and that the realization of the need is great; they will be so recognized, and the measure will be passed by this body.

PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO FUTURE VACANCIES IN THE OFFICE OF VICE PRESIDENT

Mr. MILLER. Mr. President, I send to the desk a joint resolution proposing a constitutional amendment relating to future vacancies in the office of Vice President.

Simply stated, it provides that in the event of a vacancy in this office, the the President shall nominate a Vice President of the same party affiliation as that of the President.

The nominee would take office only upon confirmation by a majority vote of both Houses of Congress sitting in joint session.

Senators will note that my proposal addresses itself to the heart of the question relative to filling the office of Vice President. It does not contain superfluous language or concern itself with side issues, which would only bog down the Congress in endless controversy while the immediate problem is left unresolved.

Our concern at the moment should be to set up the machinery to fill the Vice-Presidency in the event of death or resignation of the President. In one word—"continuity."

Any other issues, such as the disability of the President, can be left for later decision and action. Such a question as this can be resolved, at least temporarily, by arrangement between the President and the Vice President.

Mr. President, as I understand it, the reason why the bill passed by the Senate in the preceding session was not acted upon by the House was the great difficulty in resolving this particular issue.

It must be underscored again that the issue of immediacy is filling the post of Vice President.

In addition, my proposal would meet head on the problem of future controversy, should the Congress be controlled by a party not the same as that of the President.

If this language is not included, I can envision a problem such as Mr. Truman would have had in the late 1940's when he assumed the Presidency.

Mr. President, I ask unanimous consent that this joint resolution be appropriately referred, printed in the RECORD, and lie over for additional cosponsors through Friday, January 15, 1965.

The PRESIDENT pro tempore. Without objection, the joint resolution will be recived and appropriately referred, will be printed in the RECORD and lie over for additional cosponsors through Friday, January 15.

The text of the joint resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. In the case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of Vice President, the President shall nominate a Vice President who shall be a member of the same political party as the President, who shall take office upon confirmation by a majority vote of both Houses of Congress sitting in joint session."

Mr. MILLER. Mr. President, I also ask unanimous consent that an article entitled "Wilson Hopes Congress Acts Soon on Succession," written by Richard Wilson and published in the Des Moines Register of December 17, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILSON HOPES CONGRESS ACTS SOON ON SUCCESSION

(By Richard Wilson)

WASHINGTON, D.C.—Now that the electoral college has acted and Lyndon Johnson and HUBERT HUMPHREY are formally elected President and Vice President, respectively, the new Congress should lose no time enacting legislation on the succession to the Vice Presidency.

Ordinarily the opening weeks and even months of Congress are unproductive and Congress has little excuse not to adopt this essential legislation by April 15.

The action of the electoral college on December 14 filled one vacuum but left another. If President Johnson should die prior to January 20, HUMPHREY would not be entitled to succeed to the Presidency. The man in line is the Speaker of the House, JOHN MCCORMACK, of Massachusetts, 72. HUMPHREY would not be entitled to the the Presidency until Jan. 20.

BAYH'S BILL

If he then succeeded MCCORMACK, there would be no Vice President and a Speaker of the House would once again be second in line. This condition would continue, exempting mortality, for 4 years.

This illustrates how unsatisfactory are the present laws of succession. The country is constantly faced by the possibility that a man will succeed to the Presidency who was not specifically chosen for this role, who might have no qualification for the office whatsover, but who might serve for several years.

In practical effect there is no problem. A presidential candidate chooses his running mate and thus his possible successor. It follows logically that a President should choose a new Vice President if the incumbent Vice President dies. This is provided by a bill introduced by Senator BAYH, of Indiana which passed the Senate at the last session.

The trouble with the Bayh bill is that it involves other questions which could well be left for later decision after Congress has provided that a President may fill the vacant office of Vice President. What is needed now is action on this one simple question. The Bayh bill provides that the President shall nominate a new Vice President for the duration of an unexpired term and that he shall then be elected by a majority of both Houses of Congress.

If the President's nominee were to be rejected then he shall submit additional names until Congress has approved. BAYH offers his proposal in the form of a constitutional amendment. It is doubtful if the approval of Congress should be called for at all.

Take, for example, the case of President Truman. He was without a Vice President for nearly 4 years and during that time both Houses of Congress were controlled for 2 years by the Republican Party. If the Bayh proposal had been in effect Truman would have been forced to get approval of his Vice-Presidential choice from a Republican Congress, which might or might not have given approval.

A DISABLED PRESIDENT

Other debatable matters are included in the Bayh proposal. One of them is that a majority of the Cabinet could declare the President disabled thus enabling the Vice President to assume the powers and duties of the Presidency. Such arrangements are better left to written understandings between the Vice President and President.

President Eisenhower had such an understanding with Vice President Nixon. A similar arrangement was made between President Kennedy and Vice President Johnson, and Johnson has announced he will make such an agreement with Humphrey when Humphrey becomes Vice President.

Congress need only address itself to the simplest problem, that of filling the Vice-Presidency if this office falls vacant.

ALL-INCLUSIVE SETTLEMENTS

All-inclusive settlements of the various problems entering into the many possible different forms of succession are likely to be found unduly restrictive in the future.

What is needed is the settlement of one single part of the problem which arises now in direct form. This can be done by giving the President the right he already has in practical politics, the right to choose his possible successor for a limited term. If this can be done without a constitutional amendment so much the better.

If the legislation is not adopted this will be the typical situation in the future if a President dies in office: The Vice President will succeeed to the Presidency, there will be no Vice President and the next in line for the Presidency will be a Member of Congress, elected by a fraction of the voters in one State, who may or may not be a member of the President's political party. He will be a man of mature years and of high seniority in Congress; otherwise he would not be Speaker of the House.

ADDITIONAL JOINT RESOLUTION INTRODUCED

The following additional joint resolution was introduced, which was read twice by its title, and referred to the Committee on the Judiciary:

By Mr. PELL:

S.J. Res. 16. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. PELL when he introduced the above joint resolution, which appear under a separate heading.)

HIGH-SPEED RAIL PASSENGER SERVICE IN THE NORTHEASTERN PART OF THE UNITED STATES

Mr. PELL. Mr. President, I wish at this time to reintroduce my original, basic joint resolution to provide high-speed rail passenger service in the northeastern part of the United States.

This Senate joint resolution, which I first introduced in the 87th Congress on June 1, 1962, and reintroduced in the 88th Congress, has prompted a remarkable volume of public debate and deliberation in spite of the fact that it has never been considered in committee. I am proud indeed to reintroduce it today, particularly in view of the fact that President Johnson found enough merit in my idea to incorporate it into his program for the Great Society as set forth by him in his state of the Union message.

This is a very simple bill. It would simply authorize the eight Seaboard States between Boston and Washington plus the District of Columbia to enter into a compact and form a public authority to operate rail passenger service. It would do nothing more than permit a group of States to combine to form a new agency for financing public transportation. It would not commit the Federal Government to any program of direct subsidy, although I have suggested that it be desirable for the Federal Government to guarantee a portion of the bonded debt of the authority.

This simple joint resolution is, thus, only a suggested innovation for financing railroad rehabilitation. Although the language of the bill makes no attempt to spell out just what form this rehabilitation would take, the immense possibilities of what could result, I believe, have caught the fancy of the traveling public everywhere.

I have suggested from the beginning that the very minimum improvement should be the acquisition of new equipment which would permit frequent service at 100 miles per hour speeds between the great urban centers of our northeastern megalopolis. The existing railroad companies, caught in the spiral of their own decline in passenger service, are unwilling or unable to make such an investment. I believe it is in the public interest for Government to take limited steps to stimulate such activity.

My reasoning has been that because of the unique geographic, economic, and demographic features of our area, the railroads inevitably will play an essential role in moving people. We have in our northeast megalopolis over 20 percent of the Nation's population and nearly 30 percent of the Nation's manufacturing operations crowded on only 1.4 percent of the Nation's land area. There is no other comparable area in our country where there are so many people competing for space and for channels of transportation.

By 1980, we are told, intercity travel in this megalopolis is expected to increase by about 170 percent, and we are already beginning to see limitations to the existing modes of transportation.

Our highway system in some areas is overbuilt, monopolizing an excessive portion of our valuable and costly urban area, often without adequate planning for its overall economic and social impact. We may soon approach the condition of Los Angeles where, for example, at least 50 percent—and possibly as much as 68 percent—of surface space in downtown Los Angeles is devoted to vehicle movement and storage.

And the Commerce Department reports that up to $1 million in runway expansion will be required to accommodate normal increases in air service in the megalopolitan corridor by 1980, even if no new alternatives are presented.

Finally, the railroad passenger service has steadily declined in every conceivable way as passengers are being increasingly tossed about on the deteriorating railroad facilities. In fact, I refer to the night train along our seaboard as the "waker" not the "sleeper."

It is against this background that I originally conceived my proposal for high-speed rail passenger service in the Northeast States.

It seems to me that the railroads, with their valuable, restricted rights of way, have a huge, unrealized potential for efficient, dependable, and safe transportation. A single set of rails can do the job of up to 18 lanes of highway. And rail service is relatively immune from the twin plagues of airborne and highway travel—weather and traffic jams. We had a striking demonstration of this fact last Christmas eve when dense fog up and down the eastern seaboard forced thousands of travelers to depend on the railroads.

But the railroads, in order to fulfill their destiny, must attempt to be competitive. I am convinced that in the intermediate length hauls of the megalopolis they can be. With proper innovation the trip from Washington to New York by rail could be made in about 2 hours, and the trip from Washington to Boston could be made in 4.

If such competitive service were to be made available, I believe the railroads would come back into their own as passenger carriers, and their service thus would be preserved intact and viable to meet the even more complex needs of the future. For this reason, I believe that Government should act now to preserve and develop what private industry is unable to save.

I am very glad indeed that the administration of President Johnson has found merit in my general thesis and now is moving ahead with plans for long-range research and development as well as immediate demonstration projects.

The executive branch took an early interest in my proposal in October 1962 when President Kennedy first asked for an evaluation of the plan. This led to feasibility studies by the Department of Commerce during 1963 and 1964 which terminated last August with the conclusion that "the promise of efficient, low cost, fast rail service along the Northeastern Corridor is sufficient to warrant proceeding with detailed investigation and evaluation, including research, design, testing, and demonstration."

In October, President Johnson directed the Secretary of Commerce to initiate a program of high-speed rail demonstration projects and to plan an extensive program of research and development to stimulate new technology in high-speed ground transportation.

It was this two-part program to which the President referred when he pledged in his state of the Union message last Monday:

> I will ask for funds to study high-speed rail transportation between urban centers. We will begin with test projects between Boston and Washington. On high-speed trains, passengers could travel this distance in less than 4 hours.

As the author of the concept which stimulated all of this activity, I can only say that I am immensely gratified and pleased. I hope that Congress will act favorably and quickly on the implementing legislation and appropriation requests which the administration is expected to submit shortly.

I might add that while I fully support this forward-looking development program, I am greatly aware that much needs to be done here and now for the pressing problems confronting our railroads, particularly in New England. I hope to have more to say on this matter later this week.

Finally, I would point out that the compact bill which I introduce today is one of several possible approaches which may be taken when the administration's